

CLAIM AMENDMENTS

Please amend the claims as follows:

1. – 40. (Cancelled)

41. (Previously Presented) In an audio/visual (AV) system, a method for navigation of menu options available to a user of the AV system, comprising:

playing AV content on the AV system;

entering a graphical user interface (GUI) in response to activation of a user command during the playing of the AV content, the user command initiating entry into a menu system;

generating a signal for displaying a first navigable list of menu options on a display, the first navigable list of menu options having a plurality of fields arranged in a first linear configuration that overlays the AV content currently playing on the display;

moving a cursor of the GUI to place the cursor over a field of the plurality of fields, and thus highlight a field while continuing to display the AV content currently playing on the display;

generating a signal for displaying a second navigable list of menu options associated with the highlighted field, the second navigable list of menu options arranged in a second linearly configured set of fields which intersect the first linear configuration of fields of the first navigable list of menu options at the highlighted field and overlaying the AV content currently playing on the display;

moving a cursor of the GUI over a menu option of the second navigable list of menu options;

selecting the menu option, wherein the AV content currently playing on the display continues to play unless the menu option selected is a menu option that begins playing a different selection of AV content; and

upon selection of the menu option, ceasing the generating of the signals for displaying the first and second navigable list of menu options so that the first and second navigable list of menu options disappear from the display.

42. (Previously Presented) The method according to claim 41, wherein the first linear configuration of the first menu is oriented substantially horizontally, and the second linear configuration of the second menu is oriented substantially vertically.

43. (Previously Presented) The method according to claim 41, wherein the first linear configuration of the first menu is oriented substantially vertically, and the second linear configuration of the second menu is oriented substantially horizontally.

44. (Previously Presented) The method according to claim 41, wherein the first linear configuration of the first menu is oriented substantially at a right angle to the second linear configuration of the second menu.

45. (Previously Presented) A video display displaying first and second menus generated according to the process of claim 41.

46. (Previously Presented) A computer readable medium storing instructions that, when carried out on a programmed processor, carry out a process according to claim 41.

47. (Previously Presented) An Audio/Visual (AV) method for navigation of menu options available to a user of an AV device, comprising:

- playing AV content on the AV system;

- entering a graphical user interface (GUI) in response to activation of a user command during the playing of the AV content, the user command initiating entry into a menu system;

- generating a signal for displaying a first menu on a display, the first menu having a plurality of fields arranged in a first linear configuration that overlays the AV content currently playing on the display;

- generating a signal for displaying a cursor of the GUI over a field of the plurality of fields, thus producing a highlighted first menu field;

- generating a signal for displaying a second menu on a display, the second menu being arranged as a second linear configuration crossing the first menu, with the

highlighted first menu field being a location of an intersection of the first menu and the second menu wherein the second menu overlays the AV content currently playing on the display, and wherein the AV content currently playing on the display continues to play unless a menu option is selected that begins playing a different selection of AV content; and

upon selection of the menu option, ceasing the generating of the signals for displaying the first and second navigable list of menu options so that the first and second navigable list of menu options disappear from the display.

48. (Previously Presented) The method according to claim 47, further comprising:

generating a signal for moving the cursor of the GUI to place the cursor over a field of the set of fields of the second menu, thus highlighting a second menu field.

49. (Previously Presented) The method according to claim 47, further comprising:

selecting an action associated with the highlighted second menu field, wherein the action initiates playing a different selection of AV content on the display.

50. (Previously Presented) The method according to claim 47, wherein the first linear configuration of the first menu is oriented substantially horizontally, and the second linear configuration of the second menu is oriented substantially vertically.

51. (Previously Presented) The method according to claim 47, wherein the first linear configuration of the first menu is oriented substantially vertically, and the second linear configuration of the second menu is oriented substantially horizontally.

52. (Previously Presented) The method according to claim 47, wherein the first linear configuration of the first menu is oriented substantially at a right angle to the second linear configuration of the second menu.

53. (Previously Presented) The method according to claim 47, wherein the second menu comprises at least one of a menu of available media, a menu of available options, a menu

of available actions, a menu of available devices associated with the highlighted first menu field.

54. (Previously Presented) A video display displaying first and second menus generated using the device according to the method of claim 47.

55. (Previously Presented) A computer readable storage medium storing instructions that, when carried out on a programmed processor, carry out a process according to claim 47.

56. (Previously Presented) A method according to claim 47, for navigation of menu options available to a user of the AV device/system.

57. (Previously Presented) In an audio/visual (AV) system, a method for navigation of menu options available to a user of the AV system, comprising:

- playing AV content on the AV system;

- entering a graphical user interface (GUI) in response to activation of a selection mechanism of a remote commander during the playing of the AV content, the activation of the selection mechanism initiating entry into a menu system;

- generating a signal for displaying a first menu on a display, the first menu having a plurality of fields arranged in a first linear configuration that overlays the AV content currently playing on the display, the first plurality of fields representing sources of AV content;

- moving a cursor of the GUI to place the cursor over a field of the plurality of fields, and thus highlight the field;

- generating a signal for displaying a navigable list of menu options associated with the highlighted field, the navigable list of menu options being arranged as in second linearly configured set of fields which cross the first linear configuration of fields of the first menu at the highlighted field, wherein the second linearly configured set of fields overlays the AV content currently playing on the display;

- moving a cursor of the GUI to place the cursor over a menu option on the navigable list of menu options;

selecting the menu option in response to activation of a selection mechanism of the remote commander, wherein the AV content currently playing on the display continues to play unless the menu option selected is a menu option that begins playing a different selection of AV content; and

upon selection of the menu option, ceasing the generating of the signals for displaying the first and second navigable list of menu options so that the first and second navigable list of menu options disappear from the display.

58. (Previously Presented) The method according to claim 57, wherein the first linear configuration of the first menu is oriented substantially horizontally, and the second linear configuration of the second menu is oriented substantially vertically.

59. (Previously Presented) The method according to claim 57, wherein the first linear configuration of the first menu is oriented substantially vertically, and the second linear configuration of the second menu is oriented substantially horizontally.

60. (Previously Presented) The method according to claim 57, wherein the first linear configuration of the first menu is oriented substantially at a right angle to the second linear configuration of the second menu.

61. (Previously Presented) A video display displaying first and second menus generated according to the process of claim 57.

62. (Previously Presented) A computer readable storage medium storing instructions that, when carried out on a programmed processor, carry out a process according to claim 57.

63. (Previously Presented) In an audio/visual (AV) system, a method for navigation of menu options available to a user of the AV system, comprising:

playing AV content on the AV system;

entering a graphical user interface (GUI) in response to receipt of a GUI selection signal from a remote commander during the playing of the AV content, the selection signal initiating entry into a menu system;

generating a signal for displaying a first menu on a display, the first menu having a plurality of fields arranged in a first linear configuration that overlays the AV content currently playing on the display, the first plurality of fields representing sources of AV content;

generating a signal for displaying a cursor of the GUI over a field of the plurality of fields, thus producing a highlighted first menu field, in response to receipt of a navigation signal from the remote commander;

generating a signal for displaying a second menu on the display, the second menu being arranged as linear set of fields crossing the first menu, with the highlighted first menu field being a location of intersection of the first menu and the second menu, wherein the second menu overlays the AV content currently playing on the display, and wherein the AV content currently playing on the display continues to play unless a menu option is selected that begins playing a different selection of AV content; and

upon selection of a menu field from the second menu, ceasing the generating of the signals for displaying the first and second navigable list of menu options so that the first and second navigable list of menu options disappear from the display.

64. (Previously Presented) The method according to claim 63, further comprising:

generating a signal for moving the cursor of the GUI to place the cursor over a field of the set of fields of the second menu, thus highlighting a second menu field.

65. (Previously Presented) The method according to claim 63, further comprising:

selecting an action associated with the highlighted second menu field in response to receipt of a selection command from the remote commander, wherein the AV content currently playing on the display continues to play unless the menu option selected is a menu option that begins playing a different selection of AV content.

66. (Previously Presented) The method according to claim 63, wherein the first linear configuration of the first menu is oriented substantially horizontally, and the second linear configuration of the second menu is oriented substantially vertically.

67. (Previously Presented) The method according to claim 63, wherein the first linear configuration of the first menu is oriented substantially vertically, and the second linear configuration of the second menu is oriented substantially horizontally.

68. (Previously Presented) The method according to claim 63, wherein the first linear configuration of the first menu is oriented substantially at a right angle to the second linear configuration of the second menu.

69. (Previously Presented) The method according to claim 63, wherein the second menu comprises a menu of functions associated with the highlighted first menu field.

70. (Previously Presented) A video display displaying first and second menus generated according to the process of claim 63.

71. (Previously Presented) A computer readable storage medium storing instructions that, when carried out on a programmed processor, carry out a process according to claim 63.

72. (Previously Presented) In an audio/visual (AV) system, a method for navigation of menu options available to a user of the AV system, comprising:

playing AV content on the AV system;

entering a graphical user interface (GUI) in response to activation of a selection mechanism of a remote commander during the playing of the AV content, the activation of the selection mechanism initiating entry into a menu system;

generating a signal for displaying a first menu on a display, the first menu having a plurality of fields arranged in a horizontal configuration that overlays the AV content currently playing on the display, the first plurality of fields representing sources of AV content;

laterally moving a cursor of the GUI to place the cursor over a field of the plurality of fields, and thus highlight the field;

generating a signal for displaying a list of menu options associated with the highlighted field, the navigable list of menu options being arranged as a vertical set of fields crossing the horizontal configuration of fields of the first menu at the highlighted field, wherein the list of menu options overlays the selection of AV content playing on the display;

vertically moving a cursor of the GUI to place the cursor over a menu option on the navigable list of menu options;

selecting the menu option in response to activation of a selection mechanism of the remote commander, wherein the AV content currently playing on the display continues to play unless the menu option selected is a menu option that begins playing a different selection of AV content; and

upon selection of the menu option, ceasing the generating of the signals for displaying the first and second navigable list of menu options so that the first and second navigable list of menu options disappear from the display.

73. (Previously Presented) The method according to claim 72, wherein the second menu comprises a menu of functions associated with the highlighted first menu field.

74. (Previously Presented) A video display displaying first and second menus generated according to the process of claim 72.

75. (Previously Presented) A computer readable storage medium storing instructions that, when carried out on a programmed processor, carry out a process according to claim 72.

76. (Previously Presented) In an audio/visual (AV) system, a method for navigation of menu options available to a user of the AV system, comprising:

playing AV content on the AV system;

entering a graphical user interface (GUI) in response to activation of a selection mechanism of a remote commander during the playing of the AV content, the activation of the selection mechanism initiating entry into a menu system;

generating a signal for displaying a first menu on a display, the first menu having a plurality of fields arranged in a vertical configuration that overlay a selection of AV content currently playing on the display, the plurality of fields representing sources of AV content;

vertically moving a cursor of the GUI to place the cursor over a field of the plurality of fields, and thus highlight the field;

generating a signal for displaying a list of menu options associated with the highlighted field, the navigable list of menu options being arranged as a horizontal set of fields crossing the horizontal configuration of fields of the first menu at the highlighted field, wherein the navigable list of menu options overlays the selection of AV content currently playing on the display;

horizontally moving a cursor of the GUI to place the cursor over a menu option on the navigable list of menu options;

selecting the menu option in response to activation of a selection mechanism of the remote commander, wherein the AV content currently playing on the display continues to play unless the menu option selected is a menu option that begins playing a different selection of AV content; and

upon selection of the menu option, ceasing the generating of the signals for displaying the first and second navigable list of menu options so that the first and second navigable list of menu options disappear from the display.

77. (Previously Presented) The method according to claim 76, wherein the second menu comprises a menu of functions associated with the highlighted first menu field.

78. (Previously Presented) A video display displaying first and second menus generated according to the process of claim 76.

79. (Previously Presented) A computer readable storage medium storing instructions that, when carried out on a programmed processor, carry out a process according to claim 76.

80. (Previously Presented) An Audio/Visual (AV) device, having a method for navigation of menu options available to a user of the AV device, comprising:

- means for playing AV content on the AV system;

- means for entering a graphical user interface (GUI) during the playing of the AV content, by executing a user command to initiating entry into a menu system;

- means for generating a signal for displaying a first menu on a display, the first menu having a plurality of fields arranged in a first linear configuration that overlays a selection of AV content that is currently playing;

- means for generating a signal for displaying a cursor of the GUI over a field of the plurality of fields, thus producing a highlighted first menu field;

- means for generating a signal for displaying a second menu on a display, the second menu being arranged as a second linear configuration crossing the first menu, with the highlighted first menu field being a location of an intersection of the first menu and the second menu, wherein the second menu overlays the selection of AV content that is currently playing, and wherein the AV content currently playing on the display continues to play unless a menu option is selected that begins playing a different selection of AV content; and

- wherein upon selection of the menu option, ceasing the generating of the signals for displaying the first and second navigable list of menu options so that the first and second navigable list of menu options disappear from the display.

81. (Previously Presented) The device according to claim 80, wherein the means for generating a signal displaying a cursor further comprises:

- generating a signal for moving the cursor of the GUI to place the cursor over a field of the set of fields of the second menu, thus highlighting a second menu field.

82. (Previously Presented) The device according to claim 80, further comprising:

means for selecting an action associated with the highlighted second menu field, wherein the A/V content currently playing on the display continues to play unless the menu option selected is a menu option that begins playing a different selection of A/V content.

83. (Previously Presented) The device according to claim 80, wherein the first linear configuration of the first menu is oriented substantially horizontally, and the second linear configuration of the second menu is oriented substantially vertically.

84. (Previously Presented) The device according to claim 80, wherein the first linear configuration of the first menu is oriented substantially vertically, and the second linear configuration of the second menu is oriented substantially horizontally.

85. (Previously Presented) The device according to claim 80, wherein the first linear configuration of the first menu is oriented substantially at a right angle to the second linear configuration of the second menu.

86. (Previously Presented) The device according to claim 80, wherein the second menu comprises at least one of a menu of available media, a menu of available options, a menu of available actions, a menu of available devices associated with the highlighted first menu field.

REMARKS:

This application has been carefully reviewed in view of the Office Action dated 5/9/2008. Applicant respectfully traverses all rejections and requests reconsideration in view of the following:

Regarding all Rejections

Applicant respectfully requests reconsideration in view of failure to establish *prima facie* obviousness. It is respectfully noted that the present application is a continuation of and claims priority to U.S. patent application number 09/615,871 filed July 13, 2000, now U.S. Patent 6,690,391 and incorporates no new matter.

All rejections presented in the present Office Action are based upon combinations including the Zustak reference and the Nsonwu reference (both owned by the assignees of the present application). It is noted that neither of these references qualify as prior art under any criterion of 35 U.S.C. §102. The Zustak reference was filed April 20, 2001 and the Nsonwu reference was filed on October 27, 2000 (by this office) – both later than the priority date of July 13, 2000 of the present application. Accordingly, neither reference is prior art and all rejections presented in this Office Action are fatally flawed.

Reconsideration and allowance is respectfully requested at an early date.

Regarding the Carlson Reference

As was noted in the prior amendment, the Carlson reference of record is again used as the primary reference in all rejections. Carlson provides an arrangement for navigation of web pages at a web site. Upon navigation to the site, the menu system is a part of each web page on the site. There is no user command that retrieves the menu system separate from the site. The claims have been amended to reflect this distinction.

Figure 3 of Carlson depicts a map of available pages on the site. In Carlson, regardless of where one navigates, the menu system described by Carlson is always present to provide a roadmap for returning to any particular page on the site. Figures 6A, 6B, 7A and 7B are illustrative of this point. These figures show that Carlson merely provides a shorthand display for the menu matrix in full shown in Figure 3.

Carlson's teachings would be inappropriate if applied outside the area of navigating among web pages in a web site, and in particular in Applicant's application, since an obtrusive menu system would linger in place to obscure and interfere with viewing of AV content. Such an always present menu system would be distracting to the experience in an audio/video environment and is hence unsuitable. Moreover, the claims call for playing AV content, and for retrieving the user interface (menu system) as a result of a user command during the playing of the AV content. No such concept exists in Carlson which simply retrieves different web pages based upon a position on an always present displayed menu system.

In contrast to Carlson, the crossing menu bars of Applicant's claimed invention permit navigation to a particular function from a first layer menu to a second layer menu, and upon the user making a selection, the menu system then gets out of the way so as to be unobtrusive of the AV viewing experience. The claims have thus been amended to call for the menu to be summoned on command and then removed upon making a selection from the second menu bar (to paraphrase without intent of imposing further limitations). This amendment is supported generally in the specification, for example at the bottom of page 15.

Since Carlson teaches a menu system that is always present, Applicant submits that the art at minimum provides a teaching against the present system and is possibly even additionally non-analogous. One seeking to modify the teachings of Carlson by having the menu system disappear after selecting from a second level, would find themselves lost and unable to navigate in Carlson's environment since the menu system appears to be a static part of the menu web page. Hence, such a modification is impermissible as it renders the main reference unsuitable for its intended use.

Applicant has reviewed the additional cited Gospel and Gerba references and finds no teaching that provides for the above distinctions, and further finds no reason one of ordinary skill in the art would be motivated to modify Carlson in a manner rendering it inoperative as discussed above. Hence, the proposed combinations are improper and inadequate to establish obviousness of the claims as amended.

Applicant respectfully requests reconsideration and allowance of all claims at an early date.

Conclusion

Reconsideration and allowance of all claims are respectfully requested in view of the Office's failure to establish *prima facie* obviousness. No claim amendments have been made, but a clean set of claims is provided herein for the Examiner's convenience. If further matters remain to be resolved in this application, Applicant earnestly invites the Examiner to contact the undersigned in order to expedite prosecution by way of an interview. The undersigned can be contacted at the telephone number below.

Respectfully submitted,

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